

REMARKS

Applicants have carefully reviewed the Office Action mailed October 30, 2006, prior to preparing this response. Currently claims 31-67 are pending in the application, wherein claims 31-57 have been rejected and claims 58-67 have been withdrawn from consideration consequent an Examiner-induced requirement for restriction. Claims 31, 36 and 43-57 have been amended and claims 38, 40 and 58-67 have been cancelled with this paper. Support for amendments to claim 31 may be found at lines 7-17 of page 16 and accompanying FIGS. 11A and 11B, for example. Support for amendments to claims 43 and 51 may be found at lines 18-26 of page 10 and accompanying FIGS. 4A and 4B, for example. No new matter has been added with these amendments. Favorable consideration of the above amendments and following remarks is respectfully requested.

Claim Objections

Applicants would like to thank the Examiner for pointing out the misnumbering of claims 40-67 (previously numbered 39-66). With this response, these claims have been appropriately correctly numbered 40-67, corresponding to the Examiner's treatment of these claims in the Office Action. Furthermore, the misnumbered claims have been appropriately amended to provide proper dependency.

Specification Objections

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter of claim 38. Claim 38 has been cancelled with this amendment, thus rendering this objection moot. In cancelling claim 38, Applicants do not concede the appropriateness of the objection.

Claim Rejections

Claims 36, 40, 48 and 55 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 36, 48 and 55 have been amended to obviate this objection. The amendments to the claims state that the proximal end of the retrieval adapter is capable of

being coupled to a distal end of an interventional device. Withdrawal of the objection is respectfully requested.

Claim 40 has been cancelled, and the subject matter of claim 40 has been incorporated into claim 31, including a provision providing a point of reference for the claimed oblique opening. Withdrawal of the objection is respectfully requested.

Claims 31, 32, 35, 37, 39-44, 47, 49-52, 56 and 57 stand rejected under 35 U.S.C. §102(e) as being anticipated by Daniel et al., U.S. Patent No. 6,171,327. Applicants respectfully traverse this rejection.

Regarding claim 31, Applicants respectfully assert Daniel at least fails to teach an opening oblique to the longitudinal axis of a retrieval adaptor. The openings at the distal end of the housings disclosed in Daniel appear to be perpendicular to the longitudinal axis of the housing. For at least this reason, claim 31, as well as claims 32-37, 39 and 41-42 which depend from claim 31 and include additional significant limitations, is believed patentable over the cited art. Withdrawal of the rejection is respectfully requested.

Regarding claims 43 and 51, Applicants respectfully assert Daniel at least fails to teach a retrieval adapter including a plurality of expansion slits dividing a distal portion of the retrieval adaptor into a plurality of curved portions configured to radially expand and receive at least a portion of a vascular filter within the lumen of the retrieval adaptor during retrieval of the vascular filter from a vessel. At no point does Daniel seem to disclose such an arrangement. For at least this reason, claims 43 and 51, as well as claims 44-50 and 52-57 which depend from one of claims 43 and 51 and include additional significant limitations, are believed patentable over the cited art. Withdrawal of the rejection is respectfully requested.

Claims 33, 34, 45, 46, 53 and 54 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Daniel et al., U.S. Patent No. 6,171,327, in view of Ferrera et al., U.S. Patent No. 6,240,231. Applicants respectfully traverse this rejection.

As described above, Daniel seems to fail to teach that which is claimed in claims 31, 43 and 53. Ferrera fails to remedy the shortcomings of Daniel. Therefore, claims 33, 34, 45, 46, 53 and 54, which depend from one of claims 31, 43, and 53 and add significant additional limitations, are believed patentable over the cited combination. Withdrawal of the rejection is respectfully requested.

Claims 36, 48 and 55 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Daniel et al., U.S. Patent No. 6,171,327, in view of Green, U.S. Patent No. 6,485,501. Applicants respectfully traverse this rejection.

As described above, Daniel seems to fail to teach that which is claimed in claims 31, 43 and 53. Green fails to remedy the shortcomings of Daniel. Therefore, claims 36, 48 and 55, which depend from one of claims 31, 43, and 53 and add significant additional limitations, are believed patentable over the cited combination. Withdrawal of the rejection is respectfully requested.

Claim 38 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Daniel et al., U.S. Patent No. 6,171,327. Claim 38 has been cancelled with this paper, rendering this rejection moot.

Claims 31-34, 36-38, 42-45, 48 and 50-54 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-9, 11-19 and 21-25 of U.S. Patent No. 6,663,651 to , in view of Daniel et al., U.S. Patent No. 6,171,327. Applicants have enclosed a terminal disclaimer in compliance with 37 C.F.R. §1.321(c) with this response, thus obviating this double patenting rejection.

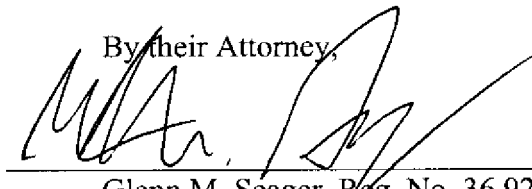
Reexamination and reconsideration are respectfully requested. It is submitted that all pending claims are currently in condition for allowance. Issuance of a Notice of Allowance in due course is anticipated. If a telephone conference might be of assistance, please contact the undersigned attorney at 612.677.9050.

Respectfully submitted,

JEFF A. KROLIK ET AL.

By their Attorney,

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